

CLARKSBURG DAILY TELEGRAM.

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CLARKSBURG, WEST VIRGINIA, SATURDAY EVENING, DECEMBER 20, 1902.

10 CENTS A WEEK. 2 CENTS A COPY

WAR MADE BY COUNCIL ON THE GAS COMPNIES

That Body Does Not Propose to Allow Them Longer to Destroy the Paving and Pavements--Street Superintendent Ordered to Act at Once.

Application of the Clarksburg and Buckhannon Street Railway Company Filed For a Franchise--Proposed Route Through the City Described Therein.

The city council held its regular session Friday night with Councilmen Keenan, Kearns, Kessler, Hurst, Moore, Williams, Lewis, Hart and Long and Mayor Crile in attendance. The minutes of the previous meeting were read and approved.

Councilman Moore of the street committee informed the council that Virginius Jasper and the K. of P. Lodge had made a proposition to furnish the brick for a pavement in front of their properties on North Fourth street provided the council would lay the brick. Mr. Moore was directed to see that it was done.

Mr. Moore recommended that the proposition from Mrs. Elizabeth Latschetter to dedicate Walnut street in Walnut Terrace to the city be referred to the street committee for future investigation. Upon motion of Hart the matter went back to the street committee and the city attorney to report at the next meeting. Long spoke against the motion.

Mayor Crile reported for a special committee that the county court had reimbursed the city to the amount of \$435, expenses incurred in the recent smallpox situation and that the court had agreed to repair the sidewalk on the Glen Elk bridge.

C. P. Lippincott was given permission to have a three-story brick and stone business block on the corner of Pike street and Third street, and to attach to the city sewer for the accommodation of the building.

The Hoff heirs were given permission to repair the Hoff block on Main street.

W. F. Rau was given permission to build a balcony in front of the Metropolitan hotel.

Permission was given Ernest Siers to erect a two story frame dwelling on his lot on Main street just east of Second.

The petition of Mrs. J. W. Coffman on Lee street for a pavement in front of her property was granted and the work ordered done.

E. D. Swentzel was granted the privilege of moving his fruit stand from Pike street to the corner of North Fifth and Baltimore streets in Glen Elk.

A notice by Margaret Bassel at 306 Monticello avenue that her property had been and is being damaged by a change in the water course was read. She offered to accept \$15 damages provided the city protect her property in the future from the water. The matter was referred to Mr. Callahan.

W. Showalter was granted a permit to build a two-story house in the Glenmoor addition.

W. A. Wilkinson was given a permit to build a steel-clad store room on Pike street east of the Manhattan Cafe.

Complaint was made that some one had laid a sewer at the corner of Chestnut and Pike streets so that the sewerage flowed out upon the surface and

under the street pavement. Mr. Callahan was directed to have the sewer removed.

Upon petition of James Drury and others, who offered to furnish the brick for the purpose, it was ordered that a brick pavement be laid across Baltimore street from the Wallis building to the west end of the freight depot.

The petition of Frank A. Vise that the city take a certain light on the Weston road off his hands and hereafter maintain it, was referred to the light committee.

Armstrong, Crislip, Day & Company were granted permission to erect a one-story steel covered building on the old Koon Marble Company property on North Fourth street.

Anna Market was given the privilege to have a stable erected on the rear of her lot on Monticello avenue.

J. J. Connell and P. Adler presented certificates showing that the county court had relieved them of erroneous assessments of \$1,000 and \$2,000 valuation respectively and they asked the city to do likewise. The matter was referred to the city treasurer to adjust.

A stone crossing was ordered laid from A. S. Gould's residence across Clark street to the opposite corner of Clark and North Fifth streets.

J. J. Chidister was given permission to build a residence on the Odell property on West Pike street.

A lengthy and condemnatory discussion of the practices of the gas companies and the plumbers in tearing up the pavements and leaving them in bad condition ensued and many instances cited. The council in this connection instructed Councilman Moore to instruct the street superintendent to take the necessary steps at once to have these matters corrected and to report at the next meeting of the council what he had done along this line. The motion also included a clause instructing the clerk to notify him that he must be present at the meetings or the council will remove him or fine him \$2 for each time he failed to be at the meetings of the council.

An inquiry from Samuel W. Gordon and others as to why the sidewalk ordered for the south side of Locust street between Sycamore and Chestnut streets resulted in the information that the city had run out of lumber, and an order was made directing Mr. Callahan to buy at home what lumber was needed.

Bills were audited and ordered paid as follows:

M. V. Hurst,	\$ 2.98
Martin Brothers,	3.35
Street Pay Roll,	232.95
Consolidated Telephone Co.,	6.25
Volunteer Firemen,	48.00
Water Works Pay Roll,	23.50
J. G. Lang,	141.00

Rev. L. W. Holden went to Broad Run today.

DRUNK

The Fellow Upset his Wagon of Nitro-Glycerine.

Says he Has to Keep that way to hold his job.

On Wednesday night there dropped into Lett's restaurant, on Fourth street, says the Parkersburg State Journal, a nice looking young man, but drunk as one could well wish to be. It wasn't one of those miserable jags that land the possessor in the lockup but just enough to make him exceedingly jolly.

After ordering what he wanted, he began talking of his work and it was learned that he was an oil well shooter who had just arrived here from Clarksburg near which place he had been shooting wells a day or so before. Mr. Lett asked him if he wasn't afraid to do such terribly dangerous work.

"Never have a chance to get afraid--keep drunk all the time" was the response.

"Why, do you drink," he hiccupped, "that if I kept in my sober senses all the time that any money on earth could hire me to do such work--nixey!"

"I had an experience yesterday that would have kept most men away from the work all the rest or their lives. My wagon with eight quarts of nitroglycerine upset in the gutter near Clarksburg but the blamed stuff didn't explode. If I hadn't been drunk the jolt'd a been up with me--you can't kill a drunken man."

After finishing his supper he got up and prepared to depart but just before leaving it was divulged to Mr. Lett the time that he had a shot of nitroglycerine, enough to have almost blotted the city out of existence. He wouldn't give his name but spoke of the company which employed him.

Parkersburg had one experience with nitro and another wouldn't be relished.

POSITION

Of Flattering Nature Declined by Prof. Smellie.

Prof. H. B. Smellie, general manager of the Elliott Commercial School in the Lowndes building, this city, has received a very flattering offer from one of the leading schools in Colorado to take charge of its commercial department. The outlook is so good for the Elliott school and it is meeting with such splendid success that Prof. Smellie refused the offer for that reason. He is highly accomplished in his line and has always been favored with great success. His efforts here are meeting with gratifying results and the school is doing nicely. The Colorado school would be fortunate in securing his services.

RULING

Made by Referee Frank Stout of Great Importance.

Upon request of the creditors of Reuben Javitch, bankrupt, Referee in Bankruptcy W. Frank Stout appointed J. I. Alexander last night receiver of the stock of the bankrupt. In making this appointment Referee Stout made an important and nice ruling. It has been the practice in this section of the country and nearly all over the United States for the United States judge of the district to make such appointments and many lawyers never came to the conclusion that they could be made in any other way, but Mr. Stout investigated the matter and came to the decision that it was in his power. He is sustained by a California decision. The receiver has closed the store.

MURDER

Enacted at Johnstown Between Ernest Kniseley and John Wheeler.

Wheeler Lies at Point of Death with Skull Crushed.

Men Quarreled over a Bunch of Furs--Old Grudge Existed.

A tragedy was enacted at Johnstown Thursday evening, as the result of which John Wheeler, a carpenter, lies at the point of death and Ernest Kniseley, a farmer, and peddler, may become a murderer and pay the penalty for the crime in state's prison.

The two men fell out over a bunch of furs, there being a misunderstanding over the price and as to the ownership, both or them being in the fur business. Jealousy is said to have existed for some time between them and they followed one another around to the annoyance of each.

Thursday afternoon after they had engaged in a bitter quarrel, Kniseley picked up a large stone and struck Wheeler on the back of his head, mashing his skull in frightfully. The injured man was taken to his home and Doctor Winfield was summoned to attend him. The physician found that the skull was so badly fractured that he had to extract nine pieces of it, leaving a cavity, the size of a silver dollar. The operation was skillfully done, but Wheeler's condition is alarming to his friends and the physician has given up all hope of saving his life.

It appears that there had been a grudge of long standing between the two men and a very bitter feeling existed between them.

Wheeler is about 48 years of age and has a wife. Kniseley is some 10 years younger.

So far the would-be murderer has not been arrested and may not be until the almost certain death of Wheeler ensues. It is stated that he can live but a short time at most.

Kniseley has disappeared. He was seen going across Glen Elk bridge toward the depot yesterday afternoon and it is supposed he has left the country.

The latest word from Wheeler is that he is dying.

NEW FIRM.

Charter Granted to West Virginia Architects & Builders.

The Secretary of State has issued a charter to the West Virginia Architects and Builders, of Clarksburg. The authorized capital stock is \$25,000 of which \$13,500 has been subscribed and \$6,000 paid in. The incorporators are: George E. Connell, C. W. McNulty, J. L. Rhodes, F. H. Rhodes and W. H. Pierson, Jr.

This new concern is formed from the firm of Connell & McNulty, the contractors, who are at present constructing the new Jacobs building. They will open up new offices in the Jacobs building as soon as it is completed, and will have their headquarters in this city.

KICKED

By a Horse and Knee-Cap Was Mashed.

Thomas Sheets, son of J. E. Sheets, the junk dealer, and Charles Windsor, took a horse-back ride toward West Milford yesterday afternoon. Windsor's horse got a little ahead of the horse the Sheets boy was riding and kicked Sheets on one of his legs, mashing a knee cap. The wound is painful.

ANNUAL RECITAL

Of Music and Art Departments of Broadus.

An Elaborate Program Enjoyed by Large Audience.

The annual Christmas recital of the music and art departments of Broadus Institute, at the Baptist church Friday evening, was largely attended. An elaborate programme was carried out and was thoroughly enjoyed. Miss Cora M. Atcheson, pianist; Mr. E. L. Crow, stringed instruments; Miss Martha K. Roberts, piano and voice, and Miss Annie Belle Reed, reader, were assisted by several of the students of the Institute. The program was as follows:

Gounod, Waltz from Faust--Ada Fortney, Nell Bassel, Eva Goff, Rachel Faris.

Wilson G. Smith, Joyful Moments--Helen Briody.

Durand, Valse--Miss Birdie Whitcomb.

Roeckel, Winter Fairies--Chorus.

Scharwenka, Polish Dance--Miss Nell Bassel.

Collins, "Ode to the Passions," Reading--Miss Dee Ross.

Behr, In Happy Mood--Lucille Nussbaum.

Rossini, William Tell--Miss Mabel Shinn (accompanied by Miss Atcheson).

Cantor, Oh Fair, Oh Sweet and Holy--Miss Birdie Whitcomb.

Schnecker, Hans and Gretel--Mary Ruddy Clifford.

Trowbridge, "The Charcoal Man," Reading--Miss Roberta Newman.

Bohm, La Grace--Genevieve Haymaker, Alma Haymaker, Florence Jewell, Gladys Calhoun.

Neidlinger, The Birthday of a King--Mary Clifford, and chorus.

Godard, Valse Chromatique, op. 88--Miss Ada Wood Fortney.

King, "The Octoroon," Reading--Rhea Briody.

Liszt, Rhapsodie Honigroise No. 2--Misses Haymaker.

De Koven, A Winter Lullaby--Miss Gussie Lowe.

Raff, Polka De La Reine, op. 95--Miss Eva May Goff.

Chopin, Polonaise, op. 40, No. 1--Miss Mabel Fleming Shinn.

Abt, A Boat Song--Chorus.

Fowler, Dance of the Fairies--Vera Richards, Estelle Nusbaum, Ora Lowe, Bonnie Whiting.

GRIEF

Returns to Mrs. Berger, Formerly Mrs. Stadelman.

Imagined her Time had come to Join Chris.

Mrs. Louis Berger, whose marriage a week ago attracted attention on account of the fact that her former husband, Chris Stadelman had been dead only a couple of weeks when that event happened, had a very bad spell last Friday afternoon. She went to bed and imagined that her time had come to join Chris. She sent for the neighbors to come in and pray with her. She also sent for a preacher for the same purpose. They all responded to her appeals and held a prayer meeting but Mrs. Berger is still among the living and the prospects are that she will continue to make her present husband happy for many years yet. An affecting feature of the occurrence was her grief over her former husband. She had his picture in bed with her. She declared that she never loved any one so much as she did him. Her period of mourning had returned and the scene was most pathetic.

FRANCHISE ASKED FROM CLARKSBURG

Buckhannon and Clarksburg Electric Railroad Company Makes Application for One of the City Council, and an Order is Entered.

Route of Proposed Line Through the City Described and Provisions for Laying the Track and Operating the System Set Forth in Ordinance.

The Buckhannon & Clarksburg Electric Railroad Company applied for a franchise at the city council Friday night and asked that the following ordinance be passed:

Be it ordained by the Council of the City of Clarksburg, State of West Virginia, that the privilege is hereby granted to the Buckhannon and Clarksburg Electric Railroad Company, a corporation organized under the laws of West Virginia, and its assigns, for the period of fifty years, to construct and operate a street railway, with the necessary side tracks and turn outs, for transfer by cars, drawn or propelled by horses, electrically, cable or motor power, of passengers, over and upon the following streets in said city, viz:

Beginning at a point on Third Street, at a point opposite the Traders Hotel; thence down Third Street to Mechanic Street; thence down Mechanic Street to its intersection with Water Street; thence with said Water Street to the corporation line. But nothing in this grant contained shall authorize said Company to construct their railway upon or across any bridge in said city, or in any way interfere with any bridge in said city without having first obtained permission from the County Court of Harrison County to do so, nor to authorize said Company to cross any existing railway tracks or roads, without having first obtained the consent from the corporation operating said railway to cross its tracks or roads, with the right and privilege to extend and lay such tracks to, from across and over, said streets and such others as shall be deemed necessary by said Company to accommodate the public and meet the demands of travel in and through said city, but subject to the following conditions and restrictions:

The said Company shall transfer passengers at a fare not to exceed five cents from one end of their line to the other within the corporate lines of the City of Clarksburg; the said Company shall lay their tracks at a grade with said streets and shall cause the streets over and along which they may lay their tracks to be placed in as good condition and repair after said tracks are laid as they were before, and said Company shall be responsible for all damages that may legally accrue to any person, or for any injury otherwise done or suffered while laying their tracks or in constructing their said railway, or in operating it after its completion; and said Company shall keep the surface of all streets occupied by its tracks, side tracks or turnouts in good condition and repair; and shall, when the City paves said streets, pave and keep well paved between their rails and tracks, side tracks and turnouts, and for a space of 18 inches outside their rails, tracks, side tracks and turnouts so occupied by it. And the said Company shall not control nor occupy any portion of said streets other than included in its

tracks; and it shall lay its tracks, side tracks, turnouts and switches in such manner as to not obstruct, impede or interfere with travel, or the use of said streets by the public outside its tracks; said Company shall keep said streets in such condition as to not impair or interfere with the free and proper use thereon by the public, or in any manner necessarily obstruct travel thereon; said Company shall not by means of snow plows or otherwise so deposit snow outside of its tracks as to interfere with the right of abutting owners of property to free access to, and egress from, their property, or with the right of the general public to the use of said street or streets; and said Company shall so construct its tracks as not to cause surface water to overflow and injure the property of any owner or occupier along said streets. The Company's main track shall be so constructed that the middle point between the rails thereof shall be within the line passing through the center of said streets. No car used in the operation of said railway shall be wider than 10 feet, and the City reserves the right by ordinance hereafter to be adopted to regulate the speed of travel on said railway, to provide rules and regulations for its proper operation, and provide for safety appliances, and to otherwise fully protect the interest of all its citizens.

Provided, however, that this franchise shall be null and void, unless the construction of the said Street Railway is commenced in said City within 18 months from the granting of this franchise, and completed two years thereafter, that is, within three and one-half years from the granting of said franchise.

NO HOME

Had the Trades and Labor Council in Which to Meet.

Maccabees Had Possession and Produced Their Lease.

The Trades and Labor Council found itself without a home Friday night. The Council had rented a hall of D. K. Reed and met two or three times in it. A large number of the members assembled at the hall Friday night to hold their regular weekly meeting but they found the Maccabees in possession. They inquired by what authority the Maccabees were there and were shown a contract or lease having priority over their own. Mr. Reed was out of the city and nothing could be done in the matter. Under the circumstances no meeting of the Council was held. It is not known at this time what action will be taken in the matter nor is it known how the misunderstanding happened.